

FREDERICK COUNTY LIQUOR BOARD
Public Meeting Minutes
Monday, November 9, 2009

Those Present: Mr. James E. McClellan, Chairman
Mr. Robert C. Snyder, Board Member
Mr. Charles R. Cline, Board Member
Mrs. Linda B. Thall, Sr. Assistant County Attorney
Mr. Harold C. DeLauter, Alcoholic Bev. Inspector
Mrs. Ashley Sklarew, Administrative Specialist IV
Mrs. Sandra Rees, Administrative Specialist IV

A Public Meeting was held at 12 E. Church Street, Frederick, Maryland, and was called to order at 8:30 am by Chairman McClellan.

1. **Buffalo Wild Wings** – The Liquor Inspector stated that this licensee is offering a trip to Tampa, Florida, in addition to other prizes including a trip to New York and a limo ride. The Board requested that another charge be added (in addition to the charge that the Board previously voted to bring against this establishment) and that a Violation Hearing be scheduled as soon as possible.
2. The Board requested that all pending violation hearings be scheduled as soon as possible.
3. **Crestwood Liquors** – The Liquor Inspector stated he went to this establishment and he reported they did not have a work schedule available and then he went back last month and they still did not have a work schedule. The Board requested a Violation Hearing for this establishment and to add a second charge for not providing a work schedule.
4. **Hampton Inn** – Mr. Snyder asked about the waiver they were supposed to get from this licensee. The Board would like a letter sent out with a deadline to receive the waiver or they will need to apply for a different type of license.
5. **Josephine's** – The Liquor Inspector stated that this licensee had a fight at the restaurant, they have added a bar without permission, the Comptroller's Inspectors have gone in and found products that were not purchased from a distributor, also this establishment

changed their name without permission. The Board will schedule a Violation Hearing.

6. **Legislation to Increase the Fees** – Mrs. Thall stated that the County Manager’s Office has drafted a bill showing what amendments are being proposed to increase license fees.
7. **VFW** – Mrs. Sklarew stated that the VFW requested to be heard first because of a funeral the licensees had to attend.
8. **Café 611** – The Board asked if this licensee has gone back to its original hours. Mrs. Rees stated that she emailed Karen Jones and she said they had already gone back to their normal schedule the week before because the construction was completed.
9. **Decision Required:** Transfer and Expansion

TRANSFER FROM: RE: Carlos Mercado, Billie Rinehart and Juan Stull for the use of VFW Country Club, Inc. t/a **VFW Country Club, Inc.** 5901 Old National Pike Frederick, MD 21702
Class C, On Sale, Beer, Wine and Liquor, Country Club

TRANSFER TO: RE: Juan Leroy Stull, Carlos Mercado-Carmoega and Billie Rinehart for the use of VFW Country Club, Inc.
t/a **VFW Country Club, Inc.**
5901 Old National Pike
Frederick, MD 21702
Class C, On Sale, Beer, Wine & Liquor, Country Club

The Board held a hearing for a transfer for an expansion of a license. Mrs. Thall swore in the applicants (See attached Sign In Sheet). The pending items are: Occupancy Permit, Fire Marshal approval, Health Department approval, Alcohol Awareness and Inspector's Report. Billie Rinehart stated that the Fire Marshal had inspected, but needed to reinspect. They need to put two more pieces of equipment in for the Health Department. They will send a copy of the Alcohol Awareness certificate. Liquor Inspector stated that the space is still a shell. The Board asked how the new

space would be used. The applicant stated it would be used for VFW functions and possibly catering. They have contacted a caterer. The Board asked what the caterer would provide and the applicant stated the caterer would provide food only and not alcohol. The VFW will provide the alcohol.

MOTION ONE: Mr. Snyder made a motion for a conditional approval for December 14, 2009.

SECOND: Mr. Cline seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Snyder – Aye
Mr. Cline – Aye
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**

(Motion Passed)

10. Decision Required: Transfer

TRANSFER FROM:

RE: Nancy Bell, Dustin Gilbert
& John Lunsman
for the use of Applebee's Restaurant
Maryland Licensing, LLC
t/a **Applebee's Neighborhood
Grill and Bar**
5613 Spectrum Drive
Frederick, Maryland 21708
Class B, On Sale, Beer, Wine & Liquor

TRANSFER TO:

RE: RE: Nancy Bell, Kevin Hyland
& Mark Kaiser
for the use of Applebee's
Restaurants
Maryland Licensing, LLC
t/a **Applebee's Neighborhood
Grill and Bar**
5613 Spectrum Drive
Frederick, Maryland 2170
Class B, On Sale, Beer, Wine & Liquor

The Board held a hearing for a transfer of license. Mrs. Thall swore in the applicants (See attached Sign In Sheet). The pending item is: Fire Marshal approval and Inspector's Report. The applicant stated they are going to make an appointment with the Fire Marshal for inspection. The Liquor Inspector stated they are compliant.

MOTION ONE: Mr. Cline made a motion for a conditional approval for December 14, 2009.

SECOND: Mr. Snyder seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Cline – Aye
Mr. Snyder – Aye
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

11. Decision Required: Transfer

TRANSFER FROM:

RE: Kimball C. Firestone for the use of
Frederick Delights, Inc.
t/a **Firestone's Restaurant & Bar**
105 N. Market St.
Frederick, MD 21701
Class B, On Sale, Beer, Wine and Liquor

TRANSFER TO:

RE: John F. Walker for the use of
Frederick Delights, Inc.
t/a **Firestone's Restaurant & Bar**
105 N. Market St.
Frederick, MD 21701
Class B, On Sale, Beer, Wine & Liquor

The Board held a hearing for a transfer of license. Mrs. Thall swore in the applicants (See attached Sign In Sheet). The pending items are: Occupancy Permit, Alcohol Awareness and the Fire Marshal approval. The applicant submitted their Occupancy Permit. The Liquor Inspector stated they are compliant.

MOTION ONE: Mr. Snyder made a motion approval.

SECOND: Mr. Cline seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Snyder – Aye
Mr. Cline – Aye
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**

(Motion Passed)

12. Decision Required: New

RE: Elspeth Gillian Berluti
for the use of
Market On Market, LLC
t/a **Market On Market**
109 North Market St.
Frederick, MD 21701
**Class A, Off Sale, Beer and Light Wine,
Sunday Permit and Wine Tasting
license**

The Board held a hearing for a new license. Mrs. Thall swore in the applicants (See attached Sign In Sheet). The pending items are: Occupancy Permit, Alcohol Awareness. The Liquor Inspector stated that they are compliant.

MOTION ONE: Mr. Cline made a motion for a conditional approval for December 14, 2009.

SECOND: Mr. Snyder seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Cline-Aye
Mr. Snyder – Aye
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

13. Decision Required: Transfer

TRANSFER FROM:

RE: Michele A. Small and Melissa J.
Winpigler for the use of
Sams Place Inc.

t/a **Sams Place Inc.,**
489 E. Church St.
Frederick, MD 21701

Class B, On Sale, Beer and Light Wine

TRANSFER TO:

RE: Michele Mauro Small, Melissa Jewell
Winpigler and Michael J. Mauro
for the use of 2-Mauros LLC

t/a **Mauro's Church Street Pub**
489 E. Church St.
Frederick, MD 21701

Class B, On Sale, Beer and Light Wine

The Board held a hearing for a transfer of a license. Mrs. Thall swore in the applicants (See attached Sign In Sheet). The pending items are: Zoning Approval, Fire Marshal approval, Occupancy Permit, Health Department, Bulk Transfer Permit and Bulk Transfer Affidavit and Inspector's Report. Michele Mauro stated that they are making the changes that the Health Department and the Building Inspector asked them to do. The Liquor Inspector stated the applicants will call when they are ready.

MOTION ONE: Mr. Snyder made a motion for a conditional approval for December 14, 2009.

SECOND: Mr. Cline seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Snyder – Aye
 Mr. Cline-Aye
 Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**

(Motion Passed)

14. Decision Required: New

RE: Natalia M. Nastovici for the use of
Pretzel & Pizza Creations, Inc.
t/a **Pretzel & Pizza Creations, Inc**
210 N Market St.
Frederick, MD 21701
Class B, On Sale, Beer and Light Wine

The Board called the hearing for a new license. This applicant failed to appear and no action was taken on the application.

15. Decision Required: New

RE: Robert John Kannor
for the use of Viniferous
t/a **Viniferous, Inc.**
227 N. Market St.
Frederick, MD 21701
**Class A, Off Sale, Beer & Light Wine,
Sunday Permit, Wine Tasting**

The Board held a hearing for a new license. Mrs. Thall swore in the applicants (See attached Sign In Sheet). The pending items are: Occupancy Permit, Fire Marshal approval, Alcohol Awareness and Inspector's Report. Mr. Kannor stated he did take the Alcohol Awareness course and will give Ms. Vahle a copy of the certificate. He paid for the Fire Marshal inspection and is waiting for the current occupants to vacate the building so the inspection can be completed. The Liquor Inspector stated the shop is still a pottery shop and is not yet ready.

MOTION ONE: Mr. Cline made a motion for a conditional approval for December 28, 2009.

SECOND: Mr. Snyder seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Snyder – Aye

Mr. Cline-Aye
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

16. Decision Required: Transfer

TRANSFER FROM: RE: Matthew O. Hill, Mary A. Hudgins
and Richard B. Miller for the use of
Whiskey Creek Golf Course LLC
t/a **Whiskey Creek Golf Course
LLC**
4804 Whiskey Ct.
Ijamsville, MD 21754
Class C, On Sale, Beer, Wine and Liquor,

TRANSFER TO: RE: Ted Goodenow, Matthew Owen Hill
and Gerald Robert Smith for the use
of Whiskey Creek Golf Course LLC
t/a **Whiskey Creek Golf Course
LLC**
4804 Whiskey Ct. Road
Ijamsville, MD 21745
Class C, On Sale, Beer, Wine & Liquor

The Board held a hearing for a transfer of a license. Mrs. Thall
swore in the applicants (See attached Sign In Sheet). There are no
pending items. The Inspector stated that this licensee is
compliant.

MOTION ONE: Mr. Snyder made a motion for approval.

SECOND: Mr. Cline seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Snyder – Aye
Mr. Cline-Aye
Mr. McClellan – Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

17. **Pretzel and Pizza Creations** – Mrs. Thall stated for the record that this applicant still had not appeared for the hearing. The application is still pending and the applicant will have to pay to have the application readvertised if she wishes to have the Board make a decision on the application.

ADJOURN

The meeting was adjourned at 9:36 am.

Respectfully submitted,

Kathy Vahle, Administrator
FREDERICK COUNTY LIQUOR BOARD

Prepared by Sandra Rees